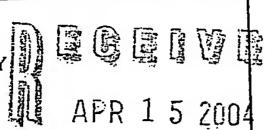
From the INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

MARK G. LAPPIN
MCDERMOTT, WILL & EMERY 28 STATE STREET BOSTON, MA 02109





#### **PCT**

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY **EXAMINATION REPORT** 

(PCT Rule 71.1)

MWAE

Date of Mailing (day/month/year)

13 APR 2004

Applicant's or agent's file reference

FUZAD. 096

International filing date (day/month/year)

Priority date (day/month/year)

IMPORTANT NOTIFICATION

International application No.

04 June 2003 (04.06.2003)

14 June 2002 (14.06.2002)

Applicant

CROL-155PC

CROSSCART, INC.

PCT/US03/17444

- The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450

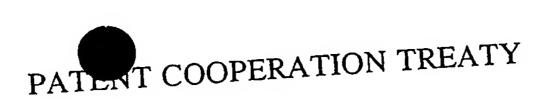
Facsimile No. (703) 305-3230

Authorized officer

Ms. Arti Singh

Telephone No. 571-272-0944

Form PCT/IPEA/416 (July 1992)



### **PCT**

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

(PC1 Affice 55									
's file reference	ACTION	See Notification	on of Transmittal of International xamination Report (Form PCT/IPEA/416)						
Applicant's or agent's file reference	FOR FURTHER ACTION		Priority date (day/month/year)						
CROL-155PC International application No.	International filing date (day/mor	manyeur	14 June 2002 (14.06.2002)						
04 June 2003 (04.06.2003)									
PCT/US03/17444  International Patent Classification (IPC) or national classification and IPC  International Patent Classification (IPC) or national classification and IPC									
PCT/US03/17444  International Patent Classification (IPC) or national classification and 17 C  IPC(7): A61F 02/28 and US CI.: 623/11.11, 13.11,13.17, 16.11, 23.6, 61, 64; 424/423,422 548,549; 435/1.1; 43.									
Applicant		·							
1. This international preliminary examination report has been prepared by this International Preliminary  Examining Authority and is transmitted to the applicant according to Article 36.									
2. This REPORT consists of a total of sheets, including this cover sheet.  This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made which have been amended and Section 607 of the Administrative Instructions under the PCT). before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of sheets.									
					Basis of the report				
					III Non-establi	Non-actablishment of report with regard to noverty, involved			
IV Lack of un	ity of invention	.:.b regard to I	ovelty, inventive step or industrial						
IV Lack of unity of invention  V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement									
Certain do	Consist documents cited								
Cartain de	Certain defects in the international application								
VII Certain derv									
	Date of completion of this report								
- Cabo demand									
	13 January 2004 (13.01.2004)  Name and mailing address of the IPEA/US  Name and mailing address of the IPEA/US		O8 March 2004 (08.03.2004) Authorized officer						
and mailing address of the									
Mail Stop PCT, Attn: IPI Commissioner for Patents		Ms. Arti Sir	ngh (						
P.O. Box 1450 Alexandria, Virginia 223		Telephone No	0. 571-272-0944						
Facsimile No. (703) 305-3230  Form PCT/IPEA/409 (cover sheet)									

Form PCT/IPEA/409 (cover sheet)(July 1998)



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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	PCT/US03/17444

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_	Basis of the report  With regard to the elements of the international application:*
	With regard to the elements of any the international application as originally filed.
	the description:  as originally filed  as originally filed
	filed with the demand .
	pages NONE, filed with the defined pages NONE, filed with the letter of
	the claims:  as originally filed  pages 30-43  as originally filed  pages 30-43
	pages amended (together with any
	pages NONE, filed with the letter of
	pages NONE, filed with the letter -
	the drawings:
	pages 1-7 as originally filed
	$\rho_{\alpha\beta} = \frac{1}{2} + \frac{1}{$
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	the sequence listing part of the description:  pages NONE  , as originally filed  pages NONE  , as demand
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	filed with the letter of
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	2. With regard to the language, and the creation was filed, unless otherwise indicated under an which is: language in which the international application was filed, unless otherwise indicated under a which is:  These elements were available or furnished to this Authority in the following language which is:  These elements were available or furnished to this Authority in the following language which is:
١	the language of a translation furnished for the purposes
	the language of a translation furnished for the purposes of international preliminary examination (under Rules the language of the translation furnished for the purposes of international preliminary examination (under Rules the language of the translation furnished for the purposes of international preliminary examination the
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	55.2 and/or 55.3).
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	The second to the Authority in written forms
	furnished subsequently to this Authority in computer readable form.  furnished subsequently to this Authority in computer readable form.
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	The statement that the subsequency international application as filed has been furnished.
	international application as filed has been furnished.  The statement that the information recorded in computer readable form is identical to the written sequence listing.  The statement that the information recorded in computer readable form is identical to the written sequence listing.
	The statement that the information and the first that the information and the information are the first that the information are the first that the information are th
	has been furnished.  4. The amendments have resulted in the cancellation of:
	the description, pages NONE
	the claims, Nos. NONE
	the drawings, sheets/fig NONE
	the drawings, sheets/fig NONE  This report has been established as if (some of) the amendments had not been made, since they have been considered to go  This report has been established as indicated in the Supplemental Box (Rule 70.2(c)).**
	5. This report has been established as if (some of) the amendments like the first should be some of the supplemental Box (Rule 70.2(c)).**  beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**  * Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to the Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to the Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to the Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to the Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to the Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under Article 14 are referred to the receiving Office in response to an invitation under the receiving Office in response to an invitation under the receiving Office in response to an invitation under
	* Replacement sheets which have been jurnished to this report since they do not contain untertained to this report as "originally filed" and are not annexed to this report as "originally filed" and are not annexed to this report.  ** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

Form PCT/IPEA/409 (Box I) (July 1998)



International approximation No. PCT/US03/17444

V. Reasoned statement under Rule 66.2(a)( citations and explanations supporting su		moustrial applicationity;
1. STATEMENT		
Novelty (N)	Claims 1-87	YES
	Claims NONE	NO
* (IO)	Claims 1 97	YES
Inventive Step (IS)	Claims 1-87 Claims NONE	NO
	Claims NOINE	
Industrial Applicability (IA)	Claims 1-87	YES
	Claims NONE	NO
Claims 1-87 meet the criteria set out in PCT Article can be made or used in industry.	e 33(4), and thus meet industrial applicability because 33(4), and the appli	ause the subject matter claimed
		•

Form PCT/IPEA/409 (Box V) (July 1998)